

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

DIANE COWAN, et al.

PLAINTIFFS

and

UNITED STATES OF AMERICA

PLAINTIFF-INTERVENOR

v.

**Civil Action No. 2:65-CV-00031-GHD
(previously DC 6531-K)**

**BOLIVAR COUNTY BOARD OF
EDUCATION, et al.**

DEFENDANTS

**RESPONSE OF THE CLEVELAND SCHOOL DISTRICT
TO THE OBJECTIONS OF THE DEPARTMENT OF JUSTICE**

The Cleveland School District submits this response to the objections of the Department of Justice.

The District's response is contained in the attached Second Supplemental Report of Dr. Christine Rossell. Exhibit A. The plan proposed by Dr. Rossell involves additional magnet programs that have a demonstrated track-record of success. Dr. Rossell's report makes clear that the mandatory reassignment plan suggested by the Department of Justice will not promote further integration of the District's schools.

Dr. Rossell's report can be summarized as follows:

1. The District has made a good-faith effort to integrate its schools using the neighborhood school choice plan concept and the magnet school concept approved by all prior courts in this case.

2. In Dr. Rossell's opinion, these and other efforts have resulted in a unitary District with levels of integration higher than several other Districts already declared unitary.

3. Because the District is seventy percent black, there are not enough white students enrolled in the District's schools to racially balance the east side schools through a mandatory assignment program.

4. Moreover, a mandatory reassignment plan would turn the District into an all-black school district consistent with the rest of the Mississippi Delta. Dr. Rossell's report outlines in detail the "tragedy of mandatory reassignment plans." She provides analysis of several districts, including Hattiesburg, Natchez, and Indianola. Because of mandatory reassignment, these schools now have "a unitary school system that is all black."

5. In contrast, the proposed "program within a school magnets" are the only chance the District has of improving integration at the East Side secondary schools. These programs have the real possibility of attracting whites from the private schools and from schools within the District.

Accordingly, the District urges the Court to approve its proposed desegregation plan.

Respectfully submitted, this 3rd day of October 2012.

CLEVELAND SCHOOL DISTRICT

/s/ John S. Hooks

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CERTIFICATE OF SERVICE

I hereby certify that on October 3, 2012, I served copies of the above document to counsel of record by electronic service through the court's electronic filing system, otherwise via electronic or first class mail, postage pre-paid to:

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This 3rd day of October 2012.

/s/ John S. Hooks